

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>RED ROSE TRANSIT AUTHORITY,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff</b>		:
:		:
<b>vs.</b>	:	<b>NO. 11-1146</b>
:		:
<b>NORTH AMERICAN BUS</b>	:	
<b>INDUSTRIES,</b>		:
<b>Defendant</b>		:

**O R D E R**

**AND NOW**, this 16th day of January, 2013, upon consideration of the defendant's motion for partial summary judgment (Document #32), the plaintiff's response thereto (Documents #36 and #37), and the defendant's reply (Document #42),

**IT IS HEREBY ORDERED** that the motion is GRANTED in its entirety.

**IT IS FURTHER ORDERED** that:

1. The plaintiff is limited to contract remedies for damage to Bus #135 by operation of the economic loss doctrine;
2. The plaintiff's claims regarding damage to Bus #135 are barred by the statute of limitations; accordingly, I will enter summary judgment on behalf of the defendant in Count III; and
3. The plaintiff's claims regarding damage to property other than Bus #135 survive.

**BY THE COURT:**

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.